

August 8, 1997

OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON

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REPORT AND DECISION ON  
APPLICATION FOR PRELIMINARY PLAT APPROVAL

SUBJECT: Department of Development and Environmental Services File No. **L96P0014**

**CAMPUS RIM**  
Preliminary Plat Application

**Location:** Between Southeast 316th Street (if extended) and 116th Avenue Southeast (west side of 116th Avenue Southeast)

**Owner/  
Developer:** Mike Dunne  
Auburn Development Partners  
25022 - 104th Avenue Southeast #8  
Kent, WA 98466

SUMMARY OF DECISION:

Department's Preliminary:	Approve, subject to conditions
Department's Final:	Approve, subject to conditions (modified)
Examiner:	Approve, subject to conditions (modified)

PRELIMINARY MATTERS:

Application submitted: July 23, 1996  
Notice of complete application: July 23, 1996

EXAMINER PROCEEDINGS:

Hearing Opened: August 7, 1997  
Hearing Closed: August 7, 1997

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes.  
A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

ISSUES ADDRESSED:

- Density - subdivision lots
- Recreation facilities - outdoor

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. GENERAL INFORMATION:

Owner/Developer: Mike Dunne  
Auburn Development Partners  
25022 104th Avenue SE. #8  
Kent, WA 98031

Engineer: Baseline Engineering, Inc.  
1910 64th Avenue West  
Tacoma, WA 98466

STR: 8-21-5

Location: Generally between SE 316th Street (if extended) and 116th Avenue Southeast (west side).

Zoning: R-6 P  
Acreage: 6.0 acres  
Number of Lots: 36  
Density: 6 units per acre  
Typical Lot Size: Ranges from approximately 2,300 to 4,500 square feet  
Proposed Use: Single-family detached residences  
Sewage Disposal: City of Auburn  
Water Supply: City of Auburn  
Fire District: King County Fire District #44  
School District: Auburn school District #408  
Complete  
Application Date: July 23, 1996

2. Except as modified herein, the facts set forth in the King County Land Use Services Division's preliminary report to the King County Hearing Examiner for the August 7, 1997, public hearing are found to be correct and are incorporated herein by reference. The LUSD staff recommends approval of the application, subject to conditions.
3. A preliminary plat application was filed by Auburn Development Partners on July 23, 1996, to

subdivide six acres into 36 lots for single family residential development. The property is zoned R-6-P and lies within the rapidly developing Lea Hill area east of the City of Auburn.

4. No neighborhood residents appeared at the public hearing held August 7, 1997, to testify on this preliminary plat application. Staff reported that no appeals had been filed challenging the mitigated threshold determination of nonsignificance issued under SEPA for this proposal on July 15, 1997. It appears that the issues raised in the staff report have been satisfactorily resolved. The Applicant will accede to the staff condition requiring lot access panhandles to be at least 20 feet in width. Lot 27 will be designed to provide area in excess of 2,500 square feet, and recreational requirements will be met by the Applicant providing 50% of the required space onsite and paying a fee in lieu for the remaining 50%.

#### CONCLUSIONS:

1. If approved subject to the conditions imposed below, the proposed subdivision makes appropriate provision for the public health, safety and welfare; serves the public use and interest; and meets the requirements of RCW 58.17.110.
2. The conditions of approval implemented herein, including dedications and easements, will provide improvements which promote legitimate public purposes, are necessary to serve the subdivision and are proportional to its impacts; are required to make the proposed plat reasonably compatible with the environment; and will carry out applicable state laws and regulations and the laws, policies and objectives of King County.

#### DECISION:

The preliminary plat of Campus Rim, as revised and received on July 11, 1997, is APPROVED subject to the following conditions of final approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. The plat shall meet the base density and minimum density of the R-6 zone classification. All lots shall meet the minimum dimensional requirements of the R-6 zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger. Minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.

Residential Density Incentives -. Affordable Housing: The applicant shall obtain final approval and any necessary agreements from King County which specify the buyer eligibility and housing price requirements, prior to final plat approval, in order to exceed the base density.

4. The applicant shall obtain final approval from the King County Health Department.

5. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187, as amended.
6. The applicant shall obtain the approval of the King County Fire Protection Engineer certifying the adequacy of the fire hydrant, water main, and fire flow to meet the standards of Chapter 17.08 of the King County Code.
7. Final plat approval shall require full compliance with drainage provisions set forth in King County Code 9.04 and the storm drainage requirements and guidelines as established by the Water and Land Management Division. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. The following conditions represent portions of the Code and requirements which shall apply to all plats.
  - a. Drainage plans and analysis shall comply with the 1990 King County Surface Water Design Manual and updates which were adopted by Public Rule effective January 1, 1995. DDES approval of the drainage and roadway plans is required prior to any construction.
  - b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
  - c. The following note shall be shown on the final recorded plat:

"All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # \_\_\_\_\_ on file with DDES and/or the Department of Public Works. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."
8. The following conditions outline several Core and Special Requirements from Chapter One in the SWM Drainage Manual which are particularly important for the design of this project. All other applicable requirements in the SWM Manual shall also be addressed in the design of engineering plans.
  - a. Core Requirement No. 1: Discharge at the Natural Location. The applicant has received approval for the requested diversion of surface water along the west property line of the project (Variance File L96V0111). The conditions of variance approval shall be satisfied during design and approval of the project engineering plans. The final plans shall demonstrate that discharge of storm water is connected into the off-site conveyance system through the adjacent plat of Royal Hills.
  - b. Core Requirement No. 3: Runoff Control. Design standards for stormwater runoff control shall be in accordance with the approved drainage variance and plat SEPA mitigations. Biofiltration of stormwater is also required for water quality enhancement. The size of the proposed drainage tracts may have to increase to accommodate the

required detention storage volumes and biofiltration facilities. Runoff control facilities shall be located in a separate tract and dedicated to King County.

The final drainage analysis shall evaluate the bypass requirements for off-site runoff. Drainage easements within the site, as determined necessary by King County, shall be provided along the east and north property lines to allow potential discharge of surface water from adjacent parcels which may develop in the future.

- c. Special Requirement No. 4: Adopted Basin or Community Plans. The proposed plat lies within the Soos Creek Community Plan which contains a special P-Suffix condition (P3) related to lot clearing. The applicable requirements for clearing lot areas during road and utility construction or performing lot-by-lot clearing shall be shown on the final engineering plans.
  - d. Special Requirement No. 5: Special Water Quality Controls. The final drainage plans and analysis shall evaluate the threshold requirements in the SWM Manual and determine if a wet pond is required. The Green River is a Class One stream located within one mile of the project; therefore, if the amount of impervious surface subject to vehicular use exceeds 1 acre, a wet pond will be required.
9. The following conditions outline the required road improvements:
- a. During preliminary review the applicant submitted a road variance application (File No. L97V0011) regarding intersection spacing at the entrance on 116th Avenue Southeast. The variance received conditional approval on February 18, 1997 and allows the proposed intersection to be located approximately 210 feet from SE 316th Street.
  - b. 116th Avenue SE shall be improved along the frontage of the property as an urban collector arterial.
  - c. SE 316th Place shall be improved as an urban neighborhood collector street. Joint-use driveway tracts shall be provided in accordance with KCRS 3.01C(3) for Lots 1-2 and 3-4.
  - d. 114th Avenue SE shall be improved to urban subcollector standards. The northern portion shall be finalized as a full width roadway in conjunction with the half street improvements for Royal Hills. The portion located south of SE 316th Place shall be improved to half street standards.
  - e. The two cul-de-sac roads on 115th Place SE shall be improved as urban minor access roads.
  - f. Tracts B, C, and D shall be improved as private joint use driveways which serve a maximum of two lots. The serving lots shall have undivided ownership of the tract and be responsible for its maintenance. As specified in KCRS 3.01C, improvements shall include an 18-foot paved surface and a minimum tract width of 20 feet. Drainage control shall include a curb or thickened edge on one side.

- g. Tract E shall be, at minimum, 26 feet in width. The tract shall be dedicated as public road right-of-way or conveyed to the adjacent property owner of Tax Lot 21 prior to final recording of the plat. No road improvements within Tract E are required by the Campus Rim subdivision.
  - h. As required by KCRS 5.03, street trees shall be included in the design of all road improvements.
  - i. Street illumination shall be provided at the intersection with 116th Avenue SE in accordance with KCRS 5.05.
  - j. 116th Avenue SE is designated a collector arterial street which may require facilities for bus zones and turnouts. As specified in KCRS 2.16, the designer shall contact Metro and the local school district to determine specific requirements.
  - k. Modifications to the above road conditions may be considered by King County pursuant to the variance procedures in KCRS 1.08.
- 10. All utilities within proposed rights-of-way shall be included within a franchise approved by the King County Council prior to final plat recording.
- 11. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid"; if the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
- 12. There shall be no direct vehicular access to or from SE 316th Place from adjoining lots, with the exception of the joint-use driveways for Lots 1-4.
- 13. The planter islands (if any) within the cul-de-sacs shall be maintained by the abutting lot owners. This shall be stated on the face of the final plat.
- 14. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190. The Applicant has the following option for the recreation space:
  - a. Provide 50% of the required space (approximately 7,000 square feet) onsite, including improvements; AND
  - b. Provide a fee-in-lieu for the remainder (50%).

A recreation space plan shall be reviewed and approved by DDES and the King County Parks Division prior to engineering plan approval. This may result in the reconfiguration and/or loss of lots.

15. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation and/or open space area(s).
16. The applicant shall submit calculations demonstrating the area of Lot 27 is 2,500 square feet or larger and has a suitable building envelope, which will meet the required setbacks. This may result in the reconfiguration and/or loss of lots.
17. Street trees shall be provided as follows:
  - a. Trees shall be planted at a rate of one tree for every 40 feet of frontage along 116th Avenue SE and SE 316th Place. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
  - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County Public Works determines that trees should not be located in the street right-of-way.
  - c. If Public Works determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
  - d. The trees shall be owned and maintained by the abutting lot owners and/or the homeowners' association or other workable organization unless the County has adopted a maintenance program. This shall be noted on the face of the final recorded plat.
  - e. The species of trees shall be approved by DDES and Public Works, if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
  - f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval. Public Works shall also review the street tree plan if the street trees will be located within the right-of-way.
  - g. The applicant shall contact Metro Service Planning at 684-1622 to determine if 116th Avenue and/or SE 316th Place is on a bus route. If either street is a bus route, the street tree plan shall also be reviewed by Metro.
  - h. The street trees must be installed and inspected, or a performance bond posted, prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.

A \$538 landscape inspection fee shall also be submitted prior to plat recording. The

inspection fee is subject to change based on the current County fees.

18. The following condition has been established under SEPA authority as necessary to mitigate the adverse environmental impacts of this development. The applicant shall demonstrate compliance with this condition prior to final approval.

Stormwater detention facilities shall be designed using the SCS-SBUH, 24-hour storm method described in the 1990 Surface Water Design Manual. Performance of the detention facility shall limit discharge from the developed area to no more than 1/2 of the pre-development, 2-year release rate for design storms up to and including the 2-year storm. The pre-development, 2-year release rate shall be provided for design storms above the 2-year storm event up to and including the 100-year storm.

ORDERED this 8th day of August, 1997.

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Stafford L. Smith, Deputy  
King County Hearing Examiner

TRANSMITTED this 8th day of August, 1997, to the following parties and interested persons:

Mike Dunne  
Leslie Groce  
Ed & Noel Hepler  
Richard Moose  
K. Paustian  
Tim Pike  
De Ann E. Schied  
John L. Scott Land Dept.  
Bob Sokol  
Greg Borba, DDES/LUSD  
Laura Casey, DDES/LUSD  
Kim Claussen, DDES/LUSD  
Marilyn Cox, DDES/LUSD  
Peter Dye, DDES/LUSD  
Paul Eichhorn, DDES/Building Services  
Barbara Heavey, DDES/LUSD

Michaelene Manion, DDES/LUSD  
Paulette Norman, KC Dept. Transportation  
Lisa Pringle, DDES/LUSD  
Steve Townsend, DDES/LUSD  
Larry West, DDES/LUSD  
Caroline Whalen, King County Council

#### NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) **on or before August 22, 1997**. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed



with the Clerk of the King County Council **on or before August 29, 1997**. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE AUGUST 7, 1997, PUBLIC HEARING ON DEPARTMENT OF  
DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L96P0014 - PRELIMINARY  
PLAT OF CAMPUS RIM.

Stafford L. Smith was the Hearing Examiner in this matter. Participating at the hearing were Kim Claussen and Peter Dye, representing the County; and Rick Moose, representing the Applicant.

The following exhibits were offered and entered into the hearing record:

Exhibit No. 1	Department of Development and Environmental Services File No. L96P0014
Exhibit No. 2	Department of Development and Environmental Services preliminary report dated August 7, 1997
Exhibit No. 3	Application dated July 23, 1996
Exhibit No. 4	Environmental Checklist dated July 23, 1996
Exhibit No. 5	Mitigated Declaration of Non-significance dated July 15, 1997
Exhibit No. 6	Affidavit of Posting indicating July 8, 1997, as date of posting and July 15, 1997, as the date the affidavit was received by the Department of Development and Environmental Services
Exhibit No. 7	Plat map dated July 11, 1997, revision
Exhibit No. 8	Land use map 720 E and 721 W
Exhibit No. 9	Assessors maps SE 8-21-5 and SW 9-21-5
Exhibit No. 10	KCRS variance L97V0011
Exhibit No. 11	SWM variance L96V0111
Exhibit No. 12	Wetland Report by Watershed Dynamics dated April 16, 1996
Exhibit No. 13	Addendum wetland report by Watershed Dynamics dated July 18, 1996
Exhibit No. 14	Letter from Tom Pike dated January 17, 1997
Exhibit No. 15	School bus stop information from Baseline dated July 10, 1997
Exhibit No. 16	Residential density information from Baseline received July 15, 1997
Exhibit No. 17	Composite map from Baseline received July 30, 1997

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Exhibit No. 18

Lot area map by Baseline received August 6, 1997

Exhibit No. 19

Revised Condition No. 14.

SLS:daz

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